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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/937,187	09/21/2001	Karen E. Sandman	NEB -164-PUS	4950
28986	7590	06/16/2004	EXAMINER	
NEW ENGLAND BIOLABS, INC. 32 TOZER ROAD BEVERLY, MA 01915			CELSA, BENNETT M	
			ART UNIT	PAPER NUMBER
			1639	

DATE MAILED: 06/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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09/19/03, 187

EXAMINER

CELSA

ART UNIT	PAPER
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1537

20040610

DATE MAILED:

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Commissioner for Patents**RESPONSE TO RESRICTION/ELECTION: NONBONAFIDE ATTEMPT**

Applicant's response (dated MARCH 23, 2004) to the lack of unity which:

- a. Elected Group 1 (claims 1-3);
- b. Presented amended claims 1 and 2 and
- c. Added new claims 21-37

is not fully responsive IN LIGHT OF applicant's previous response (dated 12/19/03):

- a. cancelling claims 1-20 ;
- b. Added new claims 21-39 .

Applicant's March 23, 2004 claim amendment clearly conflicts with the previous Dec. 19, 2003 amendment:

- since claims 1-2 have been previously cancelled;
- the numbering of new claims 21-37 is improper; and
- the disposition of previously submitted (12/19/03) claims 21-39 is unclear.

Additionally, it's noted that the elected invention of Group 1 (original claims 1-3) appears to correspond to amended claims 1 and 2 and new claim 21-24 as presented in the March 23, 2004 Amendment.

Since the above-mentioned reply represents a Non-bona fide attempt applicant is given a TIME PERIOD of ONE (1) MONTH from the mailing date of this communication within which to correct the deficiency in order to avoid abandonment of the application.

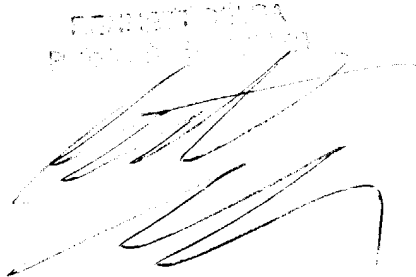
EXTENSIONS OF THE TIME PERIOD ARE NOT AVAILABLE UNDER 37 CFR 1.136(a).

General information regarding further correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Celsa whose telephone number is (571) 272-0807.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew J. Wang (art unit 1639), can be reached at (571)272-0811.

Bennett Celsa (art unit 1639)
March 16, 2004

A handwritten signature in black ink, appearing to read 'Bennett Celsa', is written over a faint, rectangular stamp. The signature is stylized with long, sweeping strokes.